

*** NOT FOR PUBLICATION ***

NO. 25835

IN THE SUPREME COURT OF THE STATE OF HAWAII

STATE OF HAWAII, Plaintiff-Appellee

vs.

VICTOR SAGALOVSKY, Defendant-Appellant

APPEAL FROM THE DISTRICT COURT OF THE THIRD CIRCUIT
(CITATION NO. 1752647MH)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that this court informed Appellant by letters dated August 14, 2003 and September 12, 2003, respectively, that the time for filing the statement of jurisdiction expired on July 24, 2003 and that the time for filing the opening brief expired on August 23, 2003 and that, pursuant to Rule 30 of the Hawaii Rules of Appellate Procedure, the matter would be called to the attention of the court for such action as the court deemed proper including dismissal of the appeal. Appellant having failed to respond to said letter or to otherwise oppose dismissal,

IT IS HEREBY ORDERED that the appeal is dismissed.

DATED: Honolulu, Hawaii, September 25, 2003.